

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**PIXION, INC., a Delaware corporation,**

**Plaintiff,**

**vs.**

**BIGBLUEBUTTON, INC., a Canadian  
corporation,**

**Defendants.**

**Case No.**

**DEMAND FOR JURY TRIAL**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Pixion, Inc. hereby alleges the following against Defendant BigBlueButton, Inc.  
("BigBlueButton" or "Defendant"):

**NATURE OF THE ACTION**

1. This is an action under the U.S. Patent Act, 35 U.S.C. § 1 *et seq.*, for infringement of several patents assigned to Pixion, Inc.

**THE PARTIES**

2. Plaintiff Pixion, Inc. ("Pixion") is a Delaware corporation.
3. Defendant BigBlueButton is a Canadian corporation.

**JURISDICTION AND VENUE**

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Defendant is subject to personal jurisdiction in the District of Delaware (the “District”) because it regularly solicits and transacts business in the District and offers the accused product in the District via its active website <http://bigbluebutton.org>. [**Screenshot – Exhibit A**] Consumers in the District that visit the BigBlueButton active website can download and use the accused product by going to <http://demo.bigbluebutton.org>. [**Screenshot – Exhibit B**] BigBlueButton is downloaded an average of 600 times a week. [**Ottawa Business Journal Article – Exhibit C**] The accused product has been downloaded and used by the University of Delaware. [**Screenshots – Exhibits D and E**] The accused product has also been downloaded and used by the Delaware Technical Community College. [**Screenshot – Exhibit F**]

6. Venue is proper in the District pursuant to 28 U.S.C. §§ 1391 and § 1400.

#### **THE PATENTS-IN-SUIT**

7. Pixion is the owner by assignment of the entire right, title, and interest in United States Patent No. 7,418,476 (the “’476 Patent”) entitled “Presenting Images in a Conference System.” The ’476 Patent was duly and legally issued by the United States Patent and Trademark Office on August 26, 2008. The ’476 Patent is valid and enforceable. A true and correct copy of the ’476 Patent is attached hereto as **Exhibit G**.

8. The ’476 Patent contains three independent claims and twenty-eight dependent claims. The accused infringing product (hereafter “Accused BigBlueButton Product” or “Accused Product”) infringes at least independent claims 1 and 10 of the ’476 Patent.

9. Pixion is the owner by assignment of the entire right, title, and interest in United States Patent No. 7,836,163 (the “’163 Patent”) entitled “Management of Stored Conference Data.” The ’163 Patent was duly and legally issued by the United States Patent and Trademark Office on

November 16, 2010. The '163 Patent is valid and enforceable. A true and correct copy of the '163 Patent is attached hereto as **Exhibit H**.

10. The '163 Patent contains one independent claim and thirty dependent claims. The Accused Product infringes at least independent claim 1 of the '163 Patent.

### **DESCRIPTION OF THE ACCUSED PRODUCT**

11. The Accused BigBlueButton Product infringes one or more claims of the '476 patent in that it, among other things, supports a desktop sharing feature in a conference system in which images are presented to conference participants after at least one user selects a region on his screen to share, captures images associated with that region, transmits the data associated with the captured images to one or more other conference participants, using a time stamp with the transmitted data to synchronize the display of the transmitted data between the user's computer and at least one second computer of another conference participant.

12. The Accused BigBlueButton Product infringes one or more claims of the '163 patent in that it, among other things, supports video conferences, receives data generated during such video conferences, stores the data via a recording feature that can begin the recording in response to a triggering event, allows retrieval of recorded conferences in response to a user request after a live conference has ended, and plays the recorded conference to the requesting user as a stream of conference data.

### **COUNT 1**

#### **Infringement of U.S. Patent No. 7,418,476**

13. Pixion repeats and re-alleges each of the allegations set forth in paragraphs 1 through 12 above as if fully set forth herein.

14. BigBlueButton directly infringes at least claims 1 and 10 of the '476 Patent by making,

using, selling, distributing, and offering to sell a method and system for presenting images in a conference system which performs the method and system claimed in the '476 Patent, in violation of 35 U.S.C. § 271(a).

15. Pixion has been and continues to be damaged by BigBlueButton's infringement of the '476 Patent in an amount to be proven at trial.

## **COUNT II**

### **Infringement of U.S. Patent No. 7,836,163**

16. Pixion repeats and re-alleges each of the allegations set forth in paragraphs 1 through 15 above as if fully set forth herein.

17. BigBlueButton directly infringes at least claim 1 of the '163 Patent by making, using, selling, distributing, and offering to sell a method for managing stored conferencing data which performs the method claimed in the '163 Patent, in violation of 35 U.S.C. § 271(a).

18. Pixion has been and continues to be damaged by BigBlueButton's infringement of the '163 Patent in an amount to be proven at trial.

### **DEMAND FOR JURY TRIAL**

19. Pixion demands a trial by jury on all issues so triable.

### **PRAYER FOR RELIEF**

For all the foregoing reasons, Pixion respectfully requests that this Court enter:

A. A judgment in favor of Pixion and against BigBlueButton that BigBlueButton has directly infringed the '476 Patent and the '163 Patent;

B. A judgment and order requiring BigBlueButton to pay Pixion damages adequate to compensate Pixion for BigBlueButton's infringement pursuant to 35 U.S.C. § 284, including costs, expenses, and pre-judgment and post-judgment interest; and

C. Any and all other relief to which Pixion may show itself to be entitled.

Dated: July 29, 2014.

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